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Wynn Las Vegas, LLC*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

RIGOBERTO TORRES,

Plaintiff,

vs.

WYNN LAS VEGAS, LLC, a Nevada Limited
Liability Company; DOES I-X; ROE
BUSINESS ENTITIES I-X,

Defendants.

Case No. 2:22-cv-00999-CDS-DJA

**STIPULATION TO EXTEND
DISCOVERY**

(SECOND REQUEST)

Plaintiff Rigoberto Torres (“Plaintiff”), through his counsel Kemp & Kemp, and Defendant Wynn Las Vegas, LLC (“Defendant”), through its counsel Jackson Lewis P.C., hereby stipulate and agree to extend the discovery remaining and related deadlines for ninety (90) days. This is the parties’ second request for an extension.

A. Discovery Completed to Date.

To date, the parties have exchanged initial disclosures of documents and witnesses pursuant to FRCP 26(a)(1). Defendant has also propounded written discovery including interrogatories and requests for production on November 10, 2022, and Plaintiff responded on December 22, 2022.

B. Discovery Which Still Needs to Occur.

Defendant intends to depose Plaintiff and serve third party subpoenas. Plaintiff also intends to take FRCP 30(b)(6) depositions. Plaintiff served a notice to take the deposition of Defendant’s FRCP 30(b)(6) witness on March 6, 2023; however, due to scheduling conflicts, the

1 deposition must be rescheduled and Defendant objects to many topics. The parties may also want
2 to exchange additional discovery requests, serve additional subpoenas for documents, and depose
3 other witnesses.

4 **C. Good Cause Supports this Request.**

5 Good cause supports the parties' request to extend discovery deadlines. The parties have
6 scheduled a meet and confer to discuss Defendant's objections to Plaintiff's notice of deposition
7 and will need time to resolve them. In addition, the deposition of Defendant's 30(b)(6) witness
8 must be rescheduled given the parties' efforts to resolve Defendant's objections without court
9 intervention and the parties' scheduling conflicts. Defendant's counsel is in arbitration the first
10 week of March and will be traveling out of state (for school spring break) the second week of
11 March. In light of the foregoing, and the time and preparation required for depositions, the parties
12 are unable to complete depositions and serve all subsequently necessary written discovery in the
13 time remaining.

14 **D. Proposed Schedule for Completing Remaining Discovery.**

15 **Discovery Cut-Off Date** – The March 21, 2023, discovery cut-off date shall be extended
16 to June 19, 2023.

17 **Dispositive Motions** – The April 20, 2023, dispositive motions deadline shall be extended
18 to July 19, 2023.

19 **Pretrial Order** – If no dispositive motions are filed, the Joint Pretrial Order shall be filed
20 thirty (30) days after the date set for the filing of the dispositive motions, which is August 18,
21 2023. In the event dispositive motions are filed, the date for filing the Joint Pretrial Order shall be
22 suspended until thirty (30) days after the decision on the dispositive motions or by further order of
23 the Court.

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1 This stipulation and order is sought in good faith and not for the purpose of delay.

2 Dated this 23rd day of February, 2023.

3 KEMP & KEMP, ATTORNEYS AT LAW

JACKSON LEWIS P.C.

4 /s/ James P. Kemp

/s/ Deverie J. Christensen

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7 *Attorney for Plaintiff*

Attorneys for Defendant
Wynn Las Vegas, LLC

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11 **ORDER**

12 IT IS SO ORDERED:

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14 DANIEL J. ALBRECHTS
15 UNITED STATES MAGISTRATE JUDGE

16 DATED: February 24, 2023
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